

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Attorney Docket No. 2006\_1242A  
Shigeki MACHIDA et al. : **Confirmation No. 9752**  
Serial No. 10/587,860 : Group Art Unit 1647  
Filed April 16, 2007 : Examiner Marianne P. Allen  
AGENT FOR PROPHYLACTIC AND/OR : **Mail Stop: AF**  
THERAPEUTIC TREATMENT OF  
RETINOPATHY

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**NOTICE OF APPEAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated May 29, 2009 of the Primary Examiner finally rejecting claims 4-12.

☐ A timely response to the final rejection has been filed.

☒ The extension fee of \$1,110.00 for a **three** month extension of time is submitted with the attached Petition for Extension of Time.

☒ The Appeal Fee of ☒ \$540.00 (other than Small Entity)  
☐ \$270.00 (Small Entity)

☐ is enclosed

☐ is to be charged to Deposit Account No. 23-0975. The original and two copies of this sheet are enclosed.

☒ is to be charged to a credit card.

☐ is not required since it was paid in a prior appeal.

☐ Small entity status of this application is established by the verified statement under 37 CFR 1.9 and 1.27 which

☐ is enclosed.

☐ has been previously submitted.

Respectfully submitted,

Shigeki MACHIDA et al.

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November 30, 2009